

REMARKS/ARGUMENTS

In this Amendment, Applicant has amended claim 1 to more particularly claim Applicant's invention. Amended claim 1 now more particularly claims that the CNC rotary table is movable on guides in a direction of the workpiece feed such that the CNC rotary table is directly contactable with the workpiece holders to change the workpiece holders. In the Office Action, in rejecting dependent claim 4, the Examiner argued that Osburn et al. disclosed that a rotary table moved on guides in the direction of a work changer. Applicant respectfully submits that, even if the Examiner is correct in this argument, Osburn still does not disclose the feature of Applicant's invention now claimed in claim 1 where the CNC rotary table is movable on guides in a direction of the workpiece feed such that the CNC rotary table is directly contactable with the workpiece holders to change the workpiece holders. Additionally, Mattson does not cure this deficiency in Osburn. Therefore, Applicant respectfully submits that claim 1 is now allowable.

In Applicant's invention, as described in the specification at least at page 6, lines 2-7, the CNC rotary table 7 moves in the direction of the workpiece holder 14a, which is aligned with the CNC rotary table, and accepts that end of the workpiece holder 14a that faces it. Thus, as can be understood, the CNC rotary table is moved in the direction of the workpiece feed to come directly into contact with the workpiece holder to change the workpiece holders.

In contrast to Applicant's invention, Osburn (and also Mattson) operates in a totally different manner. Osburn uses pallet engaging actuating arms 55 and 65 associated with pallet changer 44 to change the pallets. See Col. 4, lines 4+. Thus, in Osburn, even if a rotatable pallet table 27 moves on guides in the direction of the pallet changer 44 (argued by the Examiner to disclose Applicant's workpiece feed), there is no disclosure for the rotatable pallet table 27 moving on the guides in the direction of the pallet changer such that the rotatable pallet

table 27 is directly contactable with a workpiece holder to change the workpiece holders. In Osburn, the actuating arms 55 and 65 of pallet changer 44 engage the pallets to change the pallets. Thus, the rotatable pallet table 27 is merely moved toward the pallet changer 44 to place it near the pallet changer. The actuating arms 55 and 65 of the pallet changer 44 contact the pallets to change the pallets. Therefore, Applicant respectfully submits that Osburn does not disclose Applicant's invention of claim 1 where the CNC rotary table is movable on guides in a direction of the workpiece feed such that the CNC rotary table is directly contactable with the workpiece holders to change the workpiece holders. In Applicant's invention, the actuating arms of Osburn are not required since the CNC rotary table comes into direct contact with the workpiece holder to change the workpiece holders.

Further in this Amendment, Applicant has cancelled claim 4 and amended claims 5-7. Applicant respectfully submits that the amendments to claims 5-7 overcome the Examiner's rejections of these claims under 35 U.S.C. §112, second paragraph.

Applicant respectfully traverses the Examiner's objection to the drawings and associated rejection of claim 8 under 35 U.S.C. §112, second paragraph. With respect to the drawings, 37 C.F.R. §1.81 only requires a drawing "where necessary for the understanding of the subject matter sought to be patented." Additionally, M.P.E.P. ¶ 608.02(d), with reference to 37 C.F.R. §1.83, states that "[a]ny structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing." (emphasis added).

Applicant respectfully submits that someone skilled in the art would understand the disclosed and claimed "gripper" without it being shown in a drawing figure. The specification at least at page 4, lines 13-20 clearly describes the "gripper". In fact, "gripping devices" are clearly known in the prior art as discussed by Applicant at page 1, lines 8-12 of the specification. Applicant

respectfully submits that a drawing showing the gripper is not necessary for the understanding of the subject matter of the gripper by one skilled in the art. Additionally, Applicant respectfully submits that the structural detail of the gripper is not essential for a proper understanding of the gripper, and thus, it is not required to show the gripper in a drawing. Again, the specification clearly discloses the claimed gripper.

Additionally, with respect to the Examiner's rejection of claim 8 under 35 U.S.C. §112, second paragraph, regarding the claimed "gripper", the Examiner argues that her review of the specification or drawings does not clarify the claimed subject matter. However, as discussed above, Applicant respectfully submits that at least the "Background and Summary of the Invention" section of the patent application at page 4 discloses the claimed subject matter of the gripper.

Therefore, Applicant respectfully requests that the Examiner withdraw her objection to the drawings and the rejection of claim 8.

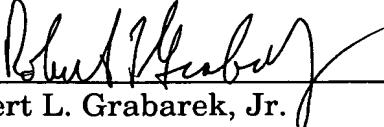
Applicant respectfully submits that the application is now in condition for allowance with claims 1-3 and 5-8 being allowable. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response. Please charge any such fee or any deficiency in fees, or credit any overpayment of fees, to Deposit Account No. 05-1323 (Docket 100975.53348US).

Respectfully submitted,

CROWELL & MORING LLP

Dated: September 28, 2005

By 
Robert L. Grabarek, Jr.
Reg. No. 40,625
Tel.: (949) 263-8400 (Pacific Coast)

Attachments
Intellectual Property Group
P.O. Box 14300
Washington, D.C. 20044-4300

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is, on the date shown below, being:

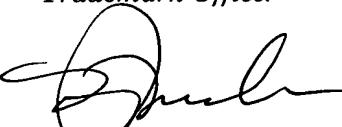
MAILING

FACSIMILE

deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile to the Patent and Trademark Office.

09/28/2005


Maria N. Sausedo

Date